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10/072,605	02/05/2002	Michael J. Renn	ODC2000-1-CIPB	1467
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PEACOCI	K MYERS AND ADAMS	HUFFMAN,	HUFFMAN, JULIAN D	
P O BOX 26927 ALBUQUERQUE, NM 871256927			ART UNIT _	PAPER NUMBER
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•			DATE MAILED: 10/21/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply	,,		Application No.	Applicant(s)			
## Examin r ## Julian D. Hulfman ## 2853 **The MAILING DATE of this communication appears on the cover sheet with the correspondence address **Period for Reply** A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.138(a). In an event, however, may a reply be timely filled. **If the period for reply see available under the provisions of 37 CFR 1.138(a). In an event, however, may a reply be timely filled. **If the period for reply is serollade blows, the renatmun statistically periods will early with the statistically minimum of other (2014) as you will be considered timely. **If NO period for reply is serollade blows, the renatmun statistically periods will early and vite equiles SX (6) MONTH's from the mailing state of this communication for reply is serolled blows, the renatmun statistically periods will early and vite equiles SX (6) MONTH's from the mailing state of this communication for this communication is non-final. **Status** 1)	Office Action Summary						
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2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on of February 2002 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(b) (to a provisional application). a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 119(THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 						
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Art Unit: 2853

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities:

The last line of claim 1 recites a method limitation in an apparatus claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- 3. Claim 1 is rejected under 35 U.S.C. 102(a) as being anticipated by Thaler (U.S. 5,814,152).

Thaler disclose an apparatus comprising:

a material source means for supplying a material to be deposited (30a);

an atomization means for producing a plurality of discrete particles from said material source means (element 35, column 11, lines 55-59);

a force application means for propelling said plurality of discrete particles generally toward a substrate (element 20, column 11, lines 61-66);

a collimation means for controlling the direction of flight of said plurality of discrete particles (element 20, column 3, lines 22-24, column 6, lines 23-25); depositing said plurality of particles on said substrate (fig. 8, element 12).

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Conclusion

4. The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Julian D. Huffman whose telephone number is (703)

308-6556. The examiner can generally be reached Monday through Friday from 9:00

a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Meier, can be reached at (703) 308-4896. The fax phone number

for the organization where this application or proceeding is assigned is (703) 308-7722.

Faxes requiring the immediate attention of the examiner may be sent directly to the

examiner at (703) 746-4386. Note that this number will not automatically send a

confirmation that the fax was received.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 308-

0956.

JH

16 October 2003

Benjamin R. Fuller Supervisory Patent Examiner Page 3

Technology Center 2800